

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE CEMENT MASONS)
PENSION FUND, LOCAL 502; TRUSTEES)
OF THE CEMENT MASONS INSTITUTE OF)
CHICAGO, ILLINOIS; TRUSTEES OF THE)
CEMENT MASONS SAVINGS FUND, LOCAL)
502; and TRUSTEES OF THE CEMENT MASONS)
APPRENTICE EDUCATION AND TRAINING)
FUND, LOCAL 502,)

Plaintiffs)

v.)

ALKAT CONSTRUCTION SERVICES, INC.,)

Defendant.)

No. 08 C 1366

Judge Shadur

Magistrate Judge Schenkier

MOTION FOR ORDER OF DEFAULT AND JUDGMENT IN SUM CERTAIN

Plaintiffs, by one of their attorneys, DONALD D. SCHWARTZ and ARNOLD AND KADJAN, pursuant to F.R.C.P. 55, respectfully request this Honorable Court to enter an Order of Default as to liability and Judgment in favor of Plaintiffs and against Defendant, ALKAT CONSTRUCTION SERVICES, INC.

In support thereof, Plaintiffs state:

1. This case was filed on March 7, 2008.
2. Defendant was served with Summons and Complaint on March 14, 2008 (Exhibit A).
3. In excess of 20 days have expired since Service of Process, however, Defendant has failed to file an answer or otherwise plead.
4. Per the affidavit of Richard Wolf, Defendant owes Cement Masons Local 502 for the audit period June 16, 2006 through March 31, 2008 \$130,427.81 benefits, \$19,564.18 liquidated damages, and \$510.00 audit costs for a total of \$150,501.99. (Exhibit B)

5. Per the affidavit of Donald Schwartz, attorney for Plaintiffs in legal fees and expenses \$1,300.00 has been incurred in this suit. (Exhibit C)

WHEREFORE, Plaintiffs pray for:

1. An Order of Default against the Defendant.
2. Judgment be rendered in the amount of \$151,801.99 for the Trustees of the Cement Masons Pension Fund Local 502, et. al.

Respectfully submitted,

**TRUSTEES OF THE CEMENT MASONS
PENSION FUND, LOCAL 502, et. al.**

By: s/ Donald D. Schwartz
One of their Attorneys

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